

COMPLAINTS AND GRIEVANCE POLICY

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Approved by	St Mary Star of the Sea College Board				
Author	Tony Fitzgerald, Principal				
Responsible body	College Board College Principal College Executive College Staff				
Supporting documents, procedures and policies	<ul style="list-style-type: none"> ▪ College Staff Code of Conduct ▪ College Child Protection Policy ▪ College Communications and Technology Policy ▪ College Pastoral Care Policy ▪ College Student Welfare (Wellbeing) Policy 				
Reference and legislation	<ul style="list-style-type: none"> ▪ Anti-Discrimination Act 1977 ▪ Child Protection Legislation Amendment Act 2003 ▪ Children and Young Persons (Care and Protection) Act 1998 ▪ Commission for Children and Young People Act 1998 ▪ Education Legislation Amendment (Staff) Act 2006 ▪ Occupational Health and Safety Act 2000 ▪ Ombudsman Act 1974 ▪ Protected Disclosures Act 1994 				
Audience	Public - accessible to anyone				

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1. PURPOSE OF POLICY

The purpose of this policy is to outline and provide a general guide on:

- a) Maintaining a workplace that nurtures positive relationships between the College and families and teachers and their students.
- b) Encouraging and supporting positive relationships between staff members.
- c) Resolving difficulties, grievances and complaints in a prompt, impartial and just manner.
- d) Treating each complaint confidentially and sensitively with resolution being the goal in all instances.
- e) Seeking resolution to issues in a way that treats all parties with dignity and respect.
- f) Meeting all compliance requirements including compliance with relevant legislation.

2. APPLICATION AND SCOPE

This policy applies to students, parents, all staff, teaching and non-teaching, permanent, temporary, or casual, Executive members and the Principal.

3. POLICY STATEMENT

It is implicit within the College Mission Statement that a positive working relationship and partnership between the College and families is the basis of the College community. To this end, a process to deal with complaints and grievances is crucial in order to provide a fair and just approach to concerns raised.

In an organisation the size of St Mary's College, complaints or grievances may cover a wide range of issues. Parents and other members of the College community may, from time-to-time, wish to complain about a College matter.

It is important that such complaints are dealt with sensitively, confidentially and effectively. The matter must be resolved as soon as possible and in a way which treats all parties with dignity and respect. It is important to note that anonymous complaints will generally not be accepted or acted upon.

4. DEALING WITH PARENT COMPLAINTS

The Principal is responsible for the efficient and effective organisation, management and administration of the College including the College's complaint-handling processes.

The College is committed to working with parents to resolve issues and concerns in ways that show respect and understanding and are based on good faith and achieving an outcome acceptable to all parties. It must also be recognised that all parties have rights and responsibilities that must be balanced and that when addressing complaints, all applicable legislative requirements must be adhered to.

When working with parents to address a complaint it is anticipated that the following steps will be taken:

- The person raising the concern or complaint will do so as promptly as possible after the issue occurs.
- If the complaint is adjudged to be serious in nature, a parent will be asked to put their concerns in writing.
- In doing so they will be provide complete and factual information about the concern or complaint.
- Parents/caregivers will be required to maintain and respect the privacy and confidentiality of all parties.
- Parents will be required to show respect and understanding of each other's point of view and value difference, rather than judge and blame.
- Parents will further be required to recognise that all parties have rights and responsibilities which must be balanced.

It is important that a concern is directed to the correct person. The first point of contact for parents can often be the Receptionist or Office staff. These staff members will:

- Direct calls to the appropriate staff member.
- Note each call to track the time, source and nature of the call.
- Direct issues relating to academic concerns to the subject teacher in the first instance and then to the KLA Coordinator or Director of Teaching and Learning if there has been no satisfactory resolution reached.
- Direct calls of a serious nature to the KLA Coordinator or the Director of Teaching and Learning in the first instance.
- Direct issues relating to a pastoral or a student management issue to the Tutor Group Teacher and then to the House Coordinator.
- Contact the appropriate Deputy Principal, Director of Teaching and Learning or the Principal in cases where a satisfactory response or resolution is not achieved through the above channels.

5. DEALING WITH COMPLAINTS ABOUT A MEMBER OF STAFF

In instances where a complaint is made against a staff member, the staff member concerned must be informed of the complaint. Teachers and other staff members are entitled to know the details of the complaint against them, including the name of the person raising the complaint as well as the specific details of the complaint.

When working to address a complaint about a staff member it is anticipated that the following steps will be taken:

- The staff member will be given the opportunity to respond prior to any action being taken in response to the complaint.
- Where there is a meeting of the staff member concerned with the Principal, parents, student/s or other staff member in relation to the complaint, the staff member must be told in advance the purpose of the meeting and who will be attending the meeting.

- The staff member must be given the opportunity to be accompanied by a staff member/support person of their choice.
- Where action is to be taken the staff member must be consulted and involved in the conversation.
- If a matter is not raised with the staff member involved in the first instance, that matter cannot be raised at a later date or as part of another incident.
- If a complaint is not resolved through a conciliation process, the Principal must make a decision based on the substance of the complaint, all relevant information and any relevant policies.

6. DEALING WITH COMPLAINTS ABOUT THE PRINCIPAL

If a complaint is made against the Principal, the parent, staff member or other party must put their complaint in writing addressed to the Chair of the Board in an envelope marked confidential.

When working to address a complaint about the Principal it is anticipated that the following steps will be taken:

- Parties wishing to make a complaint will be informed of the process by the staff member who has received the concern.
- The Chair of the Board may address the issue with the Principal.
- In the event that the Chair of Board considers that matter to be serious, they will refer the matter to the Executive Director of Good Samaritan Education so that GSE protocols can be followed.
- In situations where the complaint breaches legislation, the Chair of Board will also contact the appropriate legal authorities in the first instance.

7. STUDENT GRIEVANCES / COMPLAINTS

Where students have a serious grievance, it is important that they convey it to the appropriate staff member. When working to address a complaint made by a student it is anticipated that the following steps will be taken:

- Where a student has a pastoral or other concern, they are to seek an appointment with their Tutor Group teacher or House Coordinator.
- In instances where students don't feel the matter has been resolved they are to take the matter to the Assistant Principal, Dean of Pastoral Care for resolution.
- The student may access the support of the College Counsellor for advice or as a support person in difficult situations.
- Where a student has a serious concern or grievance of a pastoral nature, it is important that they convey it to the Assistant Principal, Dean of Pastoral Care.
- Where the concern or grievance is about the Assistant Principal, Dean of Pastoral Care or any other member of the Leadership Team, excluding the Principal, the student must refer the matter to the Principal.

- All academic issues concerning assessment or Higher School Certificate information is to be directed to the Director of Teaching and Learning. The Director of Teaching and Learning also deals with appeals which are lodged with NESAs.
- If these complaints are not resolved, students must refer the matter to the Principal.

At St Mary’s College, in all instances, the focus of effective complaint resolution is conciliation and acknowledging the rights of all concerned.

8. UNSUBSTANTIATED OR VEXATIOUS GRIEVANCES

If a grievance did not occur or was not proven the outcome is to be communicated to the parties concerned.

If a grievance is vexatious or malicious and found to be unsubstantiated, the Principal will initiate a conciliation process in order to resolve the matter.

VERSION CONTROL AND CHANGE HISTORY

Version control	Date effective	Approved by	Amendment
1.0	2006	Board	Initial adoption
2.0	May 2011	Board	Reformatting template and updating legislation
3.0	June 2013	Board	Reviewed without change
4.0	February 2015	Board	Additions to Dealing with Complaints about the Principal and Student Grievances / Complaints.
5.0	February 2015	Chair of Governance & Nominations Committee	Changed next review date (and expiry date) to bring in line with Committee meetings
6.0	May 2017	Board	Reviewed. Principal to look at definitions and roles from Complispace and ensure policy is more procedural.
7.0	October 2018	Board	Review of Policy.
8.0	October 2019	Board	Review of Policy with addition of unsubstantiated or vexatious grievances.
9.0	November 2020	Board	Review of Policy with some parts to be rewritten.